

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

I. STEPHEN RABIN, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

THE NEW YORK TIMES COMPANY,
DOW JONES & COMPANY, INC., and
FORBES, INC.

Defendants.

Case No. 14 Civ. 4498 (JSR)

**ANSWERING MEMORANDUM IN OPPOSITION TO DOW JONES'
APPLICATION FOR FEES AND COSTS**

This memorandum is submitted on behalf of plaintiff I. Stephen Rabin and his attorney Raymond A. Bragar. They have been sanctioned individually and collectively by this court. Mr. Bragar's firm Bragar Eagel & Squire, P.C. represents both Mr. Rabin and Mr. Bragar, but the sanction has been imposed on Mr. Bragar individually as well as upon his client, Mr. Rabin, who was the plaintiff in the underlying action.

Defendant Dow Jones now applies to fix the amount of the sanction at \$288,864.14 for legal fees and expenses allegedly incurred in a three month period. It is substantially excessive. Dow Jones utilized too many lawyers, who expended unnecessary hours, and charged an unwarranted amount of fees and expenses, which Messrs. Rabin and Bragar should not be forced to pay.

Dow Jones utilized a phalanx of legal personnel from a large expensive law firm to conduct the litigation over the three month period involved here: two partners, three associates, four

paralegals, and three persons from their Practice Support Department, whatever that may be. Twelve people in all, a law firm in itself.

In contrast, Mr. Rabin employed one lawyer, Mr. Bragar, assisted by paralegals.¹

The table below indicates the wide disparity between Dow Jones and Mr. Rabin in the conduct of this litigation during the same time during which Vinson & Elkins submitted its time sheets, August 1, 2014, through October 31, 2014. The Bragar Eagel & Squire firm time also includes significant time spent to reach and implement settlements with the New York Times and Forbes:

	Mr. Rabin Bragar Eagel & Squire, P.C.	Dow Jones Vinson & Elkins LLP
Number of Hours	240.2	605.2
Amount of Fees and Expenses	\$104,233.31	\$288,864.14 ²

Attached as Exhibit 1 is a print out of the Bragar Eagel & Squire, P.C. time charges and disbursements for this matter from August 1, 2014, through October 31, 2014.

In addition to overstaffing, Dow Jones in many instances expended unnecessary, expensive hours. The depositions of Mr. and Mrs. Rabin took about 10 hours, preparation was about 30 hours. It should not have taken experienced lawyers from Vinson & Elkins four days of preparation for one day of deposition. Exhibit 2 attached is a spreadsheet containing the time charges from Exhibit 1 of the Thau affidavit referring to the depositions.

¹ Two associates expended 18.5 hours in this litigation during the relevant time.

² Mr. Thau goes to great lengths to assert that the rates his firm is billing Dow Jones are fair and reasonable. He does not address the question of whether the rates he is charging are the “normal and usual” rates he charges Dow Jones in other matters and his normal and usual rates for other clients. Also, there is no listing of how the expenses were charged, eg. the cost per page for photocopying.

Dow Jones' lawyers spent almost 38 hours on the motion to dismiss the amended complaint, or almost a week. However, the court previously held that the amended complaint was a virtual repeat of the original complaint with only a few minor changes. Vinson & Elkins had made a motion and filed a brief in support of the motion to dismiss the original complaint. They therefore were in a position to utilize what they had already done. They should not have had to reinvent the wheel, spending a week doing so. Exhibit 3 attached is a spreadsheet containing the time charges from Exhibit 1 of the Thau affidavit referring to the motion to dismiss the amended complaint.

Dow Jones' lawyers Vinson & Elkins spent almost 177 hours on discovery, most of which involved production of Dow Jones documents. 177 hours translates into five weeks and at \$200 an hour the expense is almost \$35,000! This seems excessive. Exhibit 4 attached is a spreadsheet containing the time charges from Exhibit 1 of the Thau affidavit referring to discovery.

Vinson & Elkins spent about 87 hours in conversations, meetings, and conferences. Mr. Bragar spent almost 10 hours in the same period excluding the meetings with Vinson & Elkins. While Vinson & Elkins spent some of the time with Mr. Bragar, the great majority of time was spent between Vinson & Elkins personnel. Exhibit 5 attached is a spreadsheet containing the time charges from Exhibit 1 of the Thau affidavit referring to conversations, meetings and conferences.

It seems clear that Dow Jones spared no expense and their lawyers spared no effort in this litigation. But that does not mean that Messrs. Rabin and Bragar must pay for their profligacy. There should be a reduction of approximately 50% from the amount requested so that the sanctions should be no more than \$144,000, very substantial, but less punitive than what is requested.³

³ Messrs. Rabin and Bragar reserve the right to contest on appeal whether Dow Jones is entitled to any sanctions at all.

It should be emphasized that both Mr. Rabin and Mr. Bragar must pay any sanction individually. Pursuant to arrangements with his firm, Mr. Bragar, 69 years old, is solely responsible. Mr. Rabin, 82 years old and semi-retired, is working essentially as a sole practitioner.

Both Mr. Rabin, a Columbia Law School graduate, and Mr. Bragar, a Harvard Law School graduate and former clerk to Judge McMahon of this court, have been practicing, primarily in this district, for 56 and 42 years, respectively. Hitherto both have had unblemished records. This, we respectfully submit, should be taken into account when awarding fees.

Conclusion

Dow Jones' sanctions should be no more than \$144,000.

Respectfully submitted.

BRAGAR EAGEL & SQUIRE, P.C.

By: s/Raymond A. Bragar
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New York, NY 10022
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CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2015, a copy of the foregoing instrument was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of this Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

s/Raymond A. Bragar

Raymond A. Bragar

Exhibit

1

Stephen Rabin

August 20, 2015

Attention: File #: 02000
Inv #: Sample

RE: New York Times

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-01-14	Call David McCraw. Negotiate with McCraw. Consult with Rabin. Calls to and from McCraw. Calls to and from Thau and Preston. Consult with Steve Rabin	2.20	1,430.00	RAB
Aug-04-14	Review and revise settlement agreement. Consult with Steve Rabin. Email to David McCraw. Exchange emails with Preston. Call David McCraw.	1.00	650.00	RAB
Aug-04-14	Call to clerk re: amended complaint. Draft stip re: time to file amended complaint. Consult with RAB re: all of the above.	0.70	245.00	JAK
Aug-05-14	Review Ex. A to NY Times settlement. Call David McGraw. Consult with Rabin. Revise Ex. A. Email to David McCraw.. Exchange emails re filing amended complaint. Call David McCraw. Exchange emails with Hilary Preston setting forth settlement terms. Additional email and revised agreement to David McCraw.	2.10	1,365.00	RAB
Aug-06-14	Prepare for phone conference. Email settlement proposal to Balin. Review changes to NY Times settlement. Email to McCraw. Conf. call to Court with all counsel. File amended complaint with stipulation.	1.00	650.00	RAB
Aug-06-14	Prepare settlement email for Balin. Review changes to Times settlement documents. Email to McCraw. Conf. call with all counsel and Judge Rakoff chambers. File stipulation as to amended complaint. Call David McCraw. Consult with Steve Rabin.	1.50	975.00	RAB

Aug-06-14	Help to refile amended complaint and stipulation via SDNY ECF	1.00	75.00	KG
Aug-07-14	Consult with Steve Rabin. Call McCraw. Call from Rob Balin. Review responses to document requests from Dow Jones and Forbes. Email to Dow Jones re confidentiality agreement.	2.20	1,430.00	RAB
Aug-07-14	Pick up sealed folders at SDNY	2.00	150.00	KG
Aug-07-14	Check citations for Memo of Law; cross-reference deposition transcripts and exhibits	2.00	150.00	KG
Aug-08-14	Calls from and to Hilary Preston re settlement and meeting. Consult with Steve Rabin re same. Call McCraw. Review revised NY Times settlement. Email to McCraw.. Review Dow Jones Notice of Deposition and Subpoena.	1.00	650.00	RAB
Aug-11-14	Call from Steve Rabin. Exchange emails with Kimberly McCoy. Review Rakoff protective order. Call Rob Balin. Prepare notices of deposition for Dow Jones and Forbes witnesses. Draft letters to Preston and Balin. Exchange email with McCraw re final settlement agreement and review same. Exchange emails with Hillary Preston.	3.80	2,470.00	RAB
Aug-11-14	Mail notices of deposition, create affidavits of service for deponents	1.00	75.00	KG
Aug-12-14	Prepare for meeting with Dow Jones. Consult with Steve Rabin. Email to Preston. Email to David McCraw with settlement documents. Work on responses to Dow Jones document request. Call from Hilary Preston. Exchange calls with Rob Balin. Attend meeting with Thau, Preston, Dow Jones, and Rabin. Exchange calls with Balin. Email to Balin. Draft response to Dow Jones and Forbes Int.s and Doct Requests. Consult with Steve Rabin.	4.90	3,185.00	RAB
Aug-12-14	Scan and attach affidavits of service onto notices of deposition on the S drive	0.50	37.50	KG
Aug-13-14	Review and revise response to Forbes Int.s and Doct request. Consult with Steve Rabin.	0.50	325.00	RAB

Aug-13-14	Make copies of Rabin's "Thoughts on case"	0.50	37.50	KG
Aug-14-14	Revise Rabin response to Dow Jones and Forbes document requests. Consult with KG. Work on response to Dow Jones and Forbes Interrogatories. Review 2d motion to dismiss. Call Balin. Consult with Steve Rabin. Call Preston.	2.10	1,365.00	RAB
Aug-14-14	Add Rabin produced docs to S-drive	0.50	37.50	KG
Aug-15-14	Work on opposition to motion to dismiss.. Reserarch aiding and abetting fraud, GBL 349, and special relationship. Call from Hilary Preston. Exchange emails with David McCraw.	5.60	3,640.00	RAB
Aug-15-14	legal research on GBL 349	1.50	300.00	DS
Aug-18-14	Work on brief in opp to MTD. Consult with Steve Rabin. Exchange calls with Cliff Thau. Email to Hilary Preston. Call from Cliff Thau.	3.70	2,405.00	RAB
Aug-18-14	Consult with RAB re: stipulation dismissing NY times. Discuss with KG re: same.	0.20	70.00	JAK
Aug-18-14	legal research on GBL 349 claims and special relationship	3.00	600.00	DS
Aug-18-14	Proof and ecf stipulation of dismissal against NY Times	1.00	75.00	KG
Aug-19-14	Consult with KG re discovery responses. Consult with Steve Rabin. Call Rob Balin. Review protective order. Exchange emails iwth all coiunsel re same. Email all counsel with courtesy copy of stip of dismissal. Exchange emails re call to Court re protective order. Call from Hilary Preston. Call Geoff Darling. Call Hilary Preston. Consult with Steve Rabin.	2.10	1,365.00	RAB
Aug-19-14	Consult with RAB re: motion to dismiss.	0.20	70.00	JAK
Aug-19-14	legal research on common carriers and special relationships in new york	7.00	1,400.00	DS
Aug-20-14	Consult with Steve Rabin re motion to dismiss. Conf. call with counsel and court re protective order. Consult with KG re discovery	2.20	1,430.00	RAB

	responses. Edit same. Review Dow Jones response to Interrogatories.			
Aug-20-14	Bates stamp document production.	0.70	52.50	SLC
Aug-20-14	Prepare responses to the defedants', DJ and Forbes', first set of interrogatories; compile documents, scan originals, send docs to defendants via email	4.50	337.50	KG
Aug-21-14	Email to Joe McBride. Exchange emails with Eric Stahl and Hilary Preston. Review Doct. log and consult with KG. Call Steve and Ruth Rabin. Exchange emails with Hilary Preston. Email to all counsel re Rabin dates for depo.	1.30	845.00	RAB
Aug-25-14	Exchang emails with Preston re Rabins' depositions. Call Steve Rabin. Review entered Protective Order	0.50	325.00	RAB
Aug-25-14	Consult with JM re: legal research and status of case.	0.50	175.00	JAK
Aug-25-14	Transcribe new aiding and abetting complaint for Steve Rabin	2.50	187.50	KG
Sep-01-14	Exchange email with Bob Balin. Review Forbes' Notices of Deposition and Subpoenas	0.80	520.00	RAB
Sep-02-14	Call from Balin. Consult with Rabin. Call a nd email Hilary Preston. Work on MTD opposition.	1.90	1,235.00	RAB
Sep-03-14	Exchange emails with Hilary Preston. Consult with Steve Rabin. Work on MTD opposition. Calls to and from Balin. Consult iwth KG.	5.20	3,380.00	RAB
Sep-03-14	Edit Plaintiff Memo of Law in Opposition to Defendants' Joint Motion to Dismiss	2.00	150.00	KG
Sep-04-14	Consult with KG. Revise MTD opposition. Call from Hilary Preston. Wrtie Judge Rakoff.Call from Balin. Email to Balin. Call Steve and Ruth Rabin.	3.30	2,145.00	RAB
Sep-04-14	Edit Memo of Law, research cases, create table of contents and table of authorities	7.00	525.00	KG
Sep-05-14	Call from Steve Rabin. Exchange calls with Cliff Thau and Hilary Preston. Review document production. Consult with KG.	1.80	1,170.00	RAB

	Prepare for Steve Rabin depo. Start prep. for Ruth Rabin.			
Sep-08-14	Prepare Steve Rabin for deposition. Call Rob Balin. Review documents produced by Dow Jones. Review Forbes settlement agreement. Consult with Steve Rabin. Call and email Hilary Preston. Exchange emails with Bob Balin. Exchange emails with Hilary Preston re Mony transcript.	4.60	2,990.00	RAB
Sep-08-14	Edit production log for DJ produced docs, sort into readwells based on type of document, print all docs	7.00	525.00	KG
Sep-09-14	Defend Steve Rabin's deposition. Review Forbes' changes. Exchange email with Eric Stahl. Call Ruth Rabin. Prepare Ruth Rabin questions.	11.30	7,345.00	RAB
Sep-10-14	Call from Balin. Exchange emails with Stahl. Substitute execution page. Consult with JAK. Consider issues for Dow Jones. Call Hilary Preston. Meet with Ruth Rabin to prepare for deposition. Review DJ document production for deposition. Start preparation for Stearns deposition. Receive Preston letter. Draft response. Call and email Preston.	5.70	3,705.00	RAB
Sep-10-14	Research on ability to compel deposition in new your city. Consult with RAB re: same.	0.80	280.00	JAK
Sep-11-14	Defend Ruth Rabin deposition. Review McCoy email. Consult with Steve Rabin re response to email and Preston letter. Calls to and from Rob Balin and to Eric Stahl. Work on letter to Preston. Review Reply memo of law. Research cases. Consult with Steve Rabin.	7.80	5,070.00	RAB
Sep-11-14	Legal research on place where a 30(b)(6) deposition takes place. Consult with RAB re: same.	1.40	490.00	JAK
Sep-12-14	Revise letter to Preston. Prepare for oral argument	2.90	1,885.00	RAB
Sep-15-14	Call from Joe McBride. Consult with Steve Rabin. Organize COI retainer letters.	0.50	325.00	RAB
Sep-16-14	Confirm receipt of Forbes funds. Finalize Notice of Dismissal. Consult with KG. Write	1.40	910.00	RAB

	Judge Rakoff with courtesy copy. Email counsellors with letter to Rakoff. Email Balin. Consult with Steve Rabin re oral argument. Prepare for same.			
Sep-16-14	File notice of dismissal against Forbes in SDNY and prepare moving, opposition and reply papers for oral argument tomorrow	1.00	75.00	KG
Sep-17-14	Organize for oral argument. Review Preston letter. Call from Rob Balin. Attend court for motion to dismiss. Email from reporter. Call reporter.	4.30	2,795.00	RAB
Sep-18-14	Cpnsult with Steve Rabin. Revise letter to Preston. Revise Response to admissions. Review credit card statements. Consult with Steve Rabin.	1.80	1,170.00	RAB
Sep-18-14	Received Rabin deposition transcript and exhibits, scanned all exhibits onto the S drive	2.50	187.50	KG
Sep-19-14	Review Preston email. Call Steve Rabin. Serve Response to Admissions and letter to Preston.	0.50	325.00	RAB
Sep-22-14	Review emails from V&E. Consult with KG. Supervise execution of response to admissions. Email to Preston. Email re adjourn Stearns deposition. Exchange emails with Kimberly McCoy	1.80	1,170.00	RAB
Sep-22-14	Downloading and sorting through DJ pdfs and tiffs sent over for discovery, saving them on S drive	5.00	375.00	KG
Sep-23-14	Email from and exchange calls with Cliff Thau. Consult with Steve Rabin. Review checks. Call Cliff Thau. Call from Hilary Preston. Consult with KG. Email bates stamped checks to Preston.	1.90	1,235.00	RAB
Sep-23-14	Figure out way to open tiff files, scan, bates stamp Rabin discovery docs	0.50	37.50	KG
Sep-24-14	Call from Hilary Preston and Kimberly McCoy. Consult with Steve Rabin. Review order. Consult with Steve Rabin.	1.10	715.00	RAB
Sep-24-14	Legal Research to find cases in federal or state court that show shareholder's rights and	3.00	225.00	KG

responsibilities when selling shares and
commencing civil litigation against company

Sep-30-14	Exchange emails with Hilary Preston. Review documentary evidence re CBS and Rabin.	0.60	390.00	RAB
Oct-01-14	Consult with Steve Rabin	0.60	390.00	RAB
Oct-02-14	Consult with Steve Rabin and review of his notes. Attend meeting at Vincent & Elkins. Consult with Steve Rabin. Exchange emails with Hilary Preston.	1.80	1,170.00	RAB
Oct-03-14	Conf. call with Vincent and Elkins and Rakoff chambers. Call Steve Rabin.	0.40	260.00	RAB
Oct-06-14	Consult with Steve Rabin. Consult with SA	0.40	260.00	RAB
Oct-10-14	Email from McCoy. Call from Steve Rabin. Review Sanctions motion. Consult with JHS, LPE and Steve Rabin.	1.80	1,170.00	RAB
Oct-13-14	Work on chronology. Review McCraw letter and draft response thereto. Draft letter to Balin. Consult with Steve Rabin. Draft response to Balin. Revise responses. Email McCraw and Balin. Work on Sanctions Response Memo	7.90	5,135.00	RAB
Oct-14-14	Work on sanctions opposition memo. Research 1927 and inherent power.	6.90	4,485.00	RAB
Oct-14-14	Work on sanctions opposition memo.	7.30	4,745.00	RAB
Oct-15-14	Work on RAB declaration. Consult with Steve Rabin. Work on Rabin affidavit.	5.80	3,770.00	RAB
Oct-16-14	Consult with Steve Rabin. Email to Joe McBride.	0.60	390.00	RAB
Oct-20-14	Voice mail from Steve Rabin. Review cases from McBride. Consult with Steve Rabin and SM	0.70	455.00	RAB
Oct-20-14	Consult with SR re: motion for sanctions.	0.50	175.00	JAK
Oct-20-14	Type and Edit Documents	2.00	150.00	SNM
Oct-21-14	Review Stahl letter. Reply to Stahl. Consult with Steve Rabin.	2.00	1,300.00	RAB

Oct-21-14	Type document	1.50	112.50	SNM
Oct-22-14	Consult with Steve Rabin. Work on RAB Dec and Rabin Aff. Exchange emails with Hilary Preston. Write Lennon. Revise Ruth Rabin aff.	2.20	1,430.00	RAB
Oct-22-14	Proofread and edit documents	2.00	150.00	SNM
Oct-23-14	Consult with Steve Rabin. Revise aff.s and memo of law. Exchange emails with Preston and Lennon.	4.60	2,990.00	RAB
Oct-23-14	Type and edit documents	2.00	150.00	SNM
Oct-24-14	Consult with SM, SC, and AG re completion of papers. Consult with JAK, as well. Approve corrections. Draft courtesy copy letter to Rakoff. Coordinate filing and sending of courtesy copy.	2.70	1,755.00	RAB
Oct-24-14	Work on opposition to motion for sanctions. ECF filing of same.	2.40	840.00	JAK
Oct-24-14	Proofread Rabin Affidavit; prepare Rabin Affidavit exhibit; create table of authorities and contents for Memo of Law; velobind and ship courtesy copies.	6.50	487.50	SLC
Oct-24-14	Edit and assemble documents	4.00	300.00	SNM
Oct-24-14	Edit, print and ECF file documents; velobind documents for package to Court.	5.00	375.00	ARG
Oct-31-14	Review Dow Jones sanctions reply.	0.80	520.00	RAB
Oct-31-14	Consult with SR re: whether certain conduct is sale of customer list.	0.30	105.00	JAK
Totals		229.10	\$103,000.00	

FEE SUMMARY:

Lawyer	Hours	Effective Rate	Amount
Raymond A. Bragar	143.40	\$650.00	\$93,210.00
Justin A. Kuehn	7.00	\$350.00	\$2,450.00
Derek Scherr	11.50	\$200.00	\$2,300.00

Sabrina Camboulives	7.20	\$75.00	\$540.00
Kai Goldynia	43.50	\$75.00	\$3,262.50
Spencer Migotsky	11.50	\$75.00	\$862.50
Alexis Garcia	5.00	\$75.00	\$375.00

DISBURSEMENTS

		Disbursements	Receipts
	Copy Expense	937.50	
Aug-18-14	Local Transit	22.70	
Aug-18-14	Local Transit	24.50	
Sep-16-14	Federal Express	14.96	
Sep-16-14	Federal Express	14.96	
Sep-18-14	Computer Legal Research	31.80	
Oct-16-14	Federal Express	14.89	
Oct-16-14	NYC Taxi	25.20	
Oct-16-14	Taxicab	25.10	
Oct-16-14	Federal Express	14.89	
Oct-16-14	Computer Legal Research	106.81	
	Totals	\$1,233.31	\$0.00
	Total Fees & Disbursements		\$104,233.31
	Previous Balance		\$0.00
	Previous Payments		\$0.00
	Balance Due Now		\$104,233.31

AMOUNT QUOTED: \$0.00

Exhibit

2

DATE	TIMEKEEPER	HOURS BILLED	NARRATIVE
8/8/2014	McCoy, Kimberly R.	0.5	Draft notice of deposition for Stephen Rabin.
8/8/2014	McCoy, Kimberly R.	0.8	Draft notice of deposition, request for production of documents and subpoena for Ruth Rabin.
8/11/2014	Thau, Clifford L.	0.5	Prepare for meeting with Rabin and counsel.
8/11/2014	Preston, Hilary Lovett	1.5	Prepare for meeting with Rabin and Bragar.
8/12/2014	Thau, Clifford L.	2.8	Meet with Steve Rabin and Ray Bragar, including preparation for Darling telephone conference.
8/21/2014	Thau, Clifford L.	1.3	Attention to settlement talks and Steve Rabin.
8/26/2014	Preston, Hilary Lovett	0.4	Begin outlining deposition questioning for Rabins.
8/26/2014	Preston, Hilary Lovett	0.4	Attention to deposition planning and correspondence regarding same.
9/4/2014	McCoy, Kimberly R.	5.5	Draft outline for deposition of Stephen Rabin.
9/5/2014	McCoy, Kimberly R.	3.5	Finalize exhibits for depositions of Stephen Rabin and Ruth Rabin.
9/7/2014	Preston, Hilary Lovett	1.8	Continue to prepare for depositions of Mr. and Mrs. Rabin.
9/8/2014	Neumann, Kim Elliot	3.1	Research and due diligence background investigation regarding Ruth Rabin in preparation for her deposition, per request of Kim McCoy and Hilary Preston
9/9/2014	McCoy, Kimberly R.	1.8	Final preparations for deposition of Stephen Rabin.
9/9/2014	Preston, Hilary Lovett	8.5	Deposition of Stephen Rabin and final preparation for same.
9/10/2014	Preston, Hilary Lovett	1.3	Prepare for deposition of Ruth Rabin.
9/10/2014	McCoy, Kimberly R.	1.5	Prepare exhibits for deposition of Ruth Rabin.
9/10/2014	McCoy, Kimberly R.	1.8	Draft outline for deposition of Ruth Rabin.
9/11/2014	Preston, Hilary Lovett	2.5	Take deposition of Ruth Rabin and prepare for same.
9/23/2014	Thau, Clifford L.	1	Attention to evidence from CBS to be used against Stephen Rabin.
Total Rabin Deposition Hours		40.5	

Exhibit

3

DATE	TIMEKEEPER	HOURS BILLED	NARRATIVE
8/5/2014	McCoy, Kimberley R.	1.2	Research grounds to attack Amended Complaint
8/5/2014	McCoy, Kimberley R.	2.2	Draft email to joint defense group summarizing arguments for revised Motion to Dismiss.
8/7/2014	Preston, Hillary Lovett	1.2	Continue to work on revised motion to dismiss.
8/8/2014	Falcon, Keith	0.2	Receive and review Defendant Forbes' and Dow Jones' responses to plaintiff's first set of requests for production of documents.
8/10/2014	McCoy, Kimberley R.	0.5	Draft new section of motion to dismiss.
8/10/2014	McCoy, Kimberley R.	2	Combine sections of motion to dismiss amended complaint drafted by Forbes and the New York Times into one brief and format and harmonize same.
8/11/2014	Hopson, Kathy	3.5	Cite check Memorandum of Law in Support of Defendants' Joint Motion to Dismiss Amended Complaint Under Fed. R. Civ. P. 12 (b) (6) and 9(b).
8/11/2014	McCoy, Kimberley R.	0.3	Several emails with Robert Balin, counsel for Forbes, regarding draft of Motion to Dismiss and next steps.
8/12/2014	Falcon, Keith	0.2	Numerous telephone calls to Judge Rakoff's clerk regarding briefing schedule for the anticipated motion to dismiss filed jointly by all defendants.
8/12/2014	McCoy, Kimberley R.	1	Enter comments from cite check into Motion to Dismiss Amended Complaint.
8/12/2014	McCoy, Kimberley R.	0.3	Draft Notice of Motion to Dismiss Amended Complaint.
8/14/2014	Falcon, Keith	0.5	Finalize and efile Notice of Motion to Dismiss, Memorandum of Law in Support, Declaration in Support, and Certificate of service in the CM/ECF system for the Southern District of New York.
8/14/2014	McCoy, Kimberley R.	6.8	Finalize Notice of Joint Motion to Dismiss, Memorandum of Law in Support of Motion to Dismiss, and Declaration of Hilary Preston for filing, including inputting final comments from Craig Linder, Hilary Preston and Robert Balin, and coordinate filing and delivery of hard-copies of same.
9/7/2014	McCoy, Kimberley R.	3.5	Draft outline for reply brief in support of motion to dismiss.

9/16/2014 Shibib, Kareem A.	Research and analyze case law in preparation 0.5 for motion to dismiss hearing.
9/16/2014 Preston, Hillary Lovett	Continue to prepare for oral argument on
9/17/2014 Thau, Clifford L.	5.1 motion to dismiss.
	1.5 Argument on Motion to Dismiss.
9/17/2014 McCoy, Kimberley R.	Preparations for Motion to Dismiss hearing
9/17/2014 Preston, Hillary Lovett	1.5 with Hilary Preston.
	1 Argue motion to dismiss.
	Continue to prepare for motion to dismiss
9/17/2014 Preston, Hillary Lovett	5 argument.

Total Complaint/Motion
to Dismiss Hours

38

Exhibit

4

DATE	TIMEKEEPER	HOURS BILLED	NARRATIVE
			Draft Objections and Responses to Plaintiff's First Request for
8/1/2014	McCoy, Kimberly R.	5.4	production.
			Draft revised motion to dismiss
8/6/2014	McCoy, Kimberly R.	5.5	fraud claim.
			Serve response to requests for
8/7/2014	McCoy, Kimberly R.	0.2	production.
			Several emails with Hilary Preston regarding subpoenas for testimony
8/7/2014	McCoy, Kimberly R.	0.3	and next steps.
8/7/2014	Preston, Hilary Lovett	0.2	Attention to discovery issues.
			Research potential grounds to argue that allegations against
8/10/2014	McCoy, Kimberly R.	0.8	defendants are insufficient.
			Attention to discovery strategy and
8/11/2014	Preston, Hilary Lovett	1	preparation.
8/12/2014	McCoy, Kimberly R.	0.3	Draft declaration of Hilary Preston.
			Coordinate entering of table of contents and table of authorities,
8/12/2014	McCoy, Kimberly R.	0.3	in conformity with local rules.
			Prepare for Darling conferences
8/12/2014	Preston, Hilary Lovett	0.5	with Cliff Thau and Craig Linder.
			Prepare for Darling conferences
8/12/2014	Preston, Hilary Lovett	0.8	with Cliff Thau.
			Search PACER to obtain status of
8/14/2014	Hopson, Kathy	0.3	three Rabin cases.
			Attention to next steps in
8/14/2014	Preston, Hilary Lovett	0.3	discovery.
			Research final disposition of other litigation matters brought by Plaintiff and incorporate into
8/14/2014	McCoy, Kimberly R.	0.4	Motion to Dismiss.
			Draft and circulate calendar entries with briefing schedule and oral
8/15/2014	Falcon, Keith	0.1	argument date.
			Draft and circulate stipulation for entry of protective order to
8/15/2014	McCoy, Kimberly R.	0.6	counsel for Forbes.
			Draft responses and objections to Plaintiff's first set of
8/17/2014	McCoy, Kimberly R.	0.8	interrogatories.

8/19/2014 Preston, Hilary Lovett	0.5 Attention to discovery planning.
8/20/2014 Preston, Hilary Lovett	0.3 Finalize protective order.
8/20/2014 Preston, Hilary Lovett	0.3 Finalize interrogatory responses.
8/22/2014 Preston, Hilary Lovett	1 Interview of Maxine Tiger.
8/22/2014 Preston, Hilary Lovett	0.5 Attention to discovery planning.
	Draft and circulate calendar entries to attorney team for all notices
8/25/2014 Falcon, Keith	0.2 served upon defendants.
	Draft email to Hilary Preston
8/25/2014 McCoy, Kimberly R.	0.3 regarding discovery documents.
	Draft list of document requests for
8/26/2014 McCoy, Kimberly R.	1.2 subpoenas to banks.
	Research and investigation regarding Pacific Trust Bank, Sterling Savings Bank, n/k/a Umpqua Bank, Washington Federal Bank, Bank of the Cascades, and
8/26/2014 Neumann, Kim Elliot	3.8 Liberty Publishers Service, Inc.
	Draft email response regarding
8/26/2014 Neumann, Kim Elliot	0.7 results of investigation.
	Consider topics for requests for admission and confer with Kim
8/26/2014 Preston, Hilary Lovett	1 McCoy regarding same.
	Draft email regarding the creation of a review database for Kimberly McCoy to be able to review and select responsive documents for Dow Jones' upcoming document
8/27/2014 Falcon, Keith	0.2 production.
	Draft Requests for Admissions and revise same per comments from
8/27/2014 McCoy, Kimberly R.	1.4 Hilary Preston.
	Draft update email to Craig Linder
8/27/2014 McCoy, Kimberly R.	0.3 regarding case status.
8/27/2014 McCoy, Kimberly R.	0.5 Update case task list.
	Prepare instructions for attorney
8/28/2014 Young, Lynn	0.5 use of document review database.

8/28/2014 McDuffie, Laura M.	Download client files and process for attorney review in a discovery 1.8 review tool.
8/28/2014 McDuffie, Laura M.	Prepare instructions for loading of 0.6 the client files into the review tool.
8/28/2014 McCoy, Kimberly R.	Several emails with Hilary Preston regarding status of subpoenas on 0.3 third parties.
8/28/2014 McCoy, Kimberly R.	Draft Notice of Subpoenas and 1.5 Subpoenas to all banks.
8/28/2014 McCoy, Kimberly R.	Email Eric Stahl regarding status of discovery on Orbital and related 0.2 entities.
8/28/2014 McCoy, Kimberly R.	Coordinate support for service of subpoenas in Oregon, California 0.2 and Washington.
8/29/2014 McCoy, Kimberly R.	Finalize subpoena duces tecum to banks and coordinate service of 1.2 same with Keith Falcon.
8/29/2014 McCoy, Kimberly R.	Finalize requests for admissions 0.2 and serve same.
9/2/2014 McCoy, Kimberly R.	0.5 Prepare for upcoming depositions.
9/2/2014 McCoy, Kimberly R.	Finalize notices of subpoena duces 0.5 tecum and serve same.
9/3/2014 Preston, Hilary Lovett	Continue to prepare for 0.8 depositions.
9/4/2014 McDuffie, Laura M.	Prepare instructions for preparing documents to review by Kimberly 0.3 McCoy for production processing.
9/4/2014 Young, Lynn	Locate documents identified by Kimberly McCoy and export same 0.5 from review database.
9/4/2014 Young, Lynn	Prepare electronic files into 0.5 attorney review set.
9/5/2014 Thau, Clifford L.	Prepare for and conference with 0.5 Ray Bragar.
9/5/2014 Shibib, Kareem A.	Research litigation history of plaintiff as a party in preparation 1 for deposition.
9/5/2014 Fullbright, Michelle	Process, bates-number, generate, quality-control check and process 2 production [DOW-PROD001].

	Transfer and upload converted production for import and processing into a database for
9/5/2014 Fullbright, Michelle	1.5 attorney review.
	Outline deposition questions and
9/5/2014 Preston, Hilary Lovett	1.3 attention to exhibits.
	Coordinate bates labeling of documents for production and
9/5/2014 McCoy, Kimberly R.	0.8 review same.
9/5/2014 McCoy, Kimberly R.	0.2 Serve documents on plaintiff.
	Email Laura McDuffie regarding collection of emails and setting up
9/5/2014 McCoy, Kimberly R.	0.3 call with client.
	Research standing requirements in
9/7/2014 Shibib, Kareem A.	1 preparation for deposition.
	Research and investigate litigation history of plaintiff as counsel in
9/8/2014 Shibib, Kareem A.	0.4 preparation for deposition.
	Research and draft reply for
9/8/2014 Shibib, Kareem A.	0.6 negligence claims.
	Load, convert and process
9/8/2014 Fullbright, Michelle	2 production for attorney review.
	Setup production database of
9/8/2014 Fullbright, Michelle	0.5 process production.
9/8/2014 McCoy, Kimberly R.	8.5 Draft reply brief.
	Draft letter to Ray Bragar regarding
9/9/2014 McCoy, Kimberly R.	0.3 documents to produce.
	Draft report documenting statements undermining plaintiff's
9/11/2014 Shibib, Kareem A.	0.5 amended complaint.
	Research how to distinguish
9/11/2014 McCoy, Kimberly R.	0.8 common carrier cases.
	Prepare system access for Vidhi Agarwal to upload the email
9/12/2014 McDuffie, Laura M.	0.7 collection.
	Confer with Kim McCoy regarding Bragar's discovery letter and
9/12/2014 Preston, Hilary Lovett	0.5 related issues.
	Attention to additional discovery
9/12/2014 Preston, Hilary Lovett	0.2 issues.
	Draft response letter to Ray Bragar regarding outstanding discovery
9/12/2014 McCoy, Kimberly R.	1 issues.

9/14/2014 McCoy, Kimberly R.	Research grounds for sanctions
9/15/2014 McDuffie, Laura M.	3.5 Motion and begin drafting same. Process 2008 and 2009 emails for John Stearns to de-duplicate and 1.5 search. Apply search terms and export for attorney review emails with search 0.5 hits. Begin to prepare list of potential oral argument questions for Hillary 0.6 Preston. Continue to prepare for oral argument, including reviewing 4.3 briefing and cited cases. Prepare for deposition of John 0.9 Stearns. Research and investigation regarding Customer Access Services, Inc., v. Washington 0.7 Federal case.
9/15/2014 McCoy, Kimberly R.	
9/15/2014 Preston, Hilary Lovett	
9/15/2014 Preston, Hilary Lovett	
9/16/2014 Neumann, Kim Elliot	
9/16/2014 Neumann, Kim Elliot	Obtain docket from Oregon Circuit 0.3 Courts per Kim McCoy's request. Complete the processing of 2009 email for John Stearns to de- 3.5 duplicate and search. Apply search terms and export for attorney review emails with search 1.8 hits. Re-read briefs prior to argument and draft list of possible questions at oral argument for Hilary 3.8 Preston.
9/16/2014 McDuffie, Laura M.	
9/16/2014 McDuffie, Laura M.	
9/16/2014 McCoy, Kimberly R.	
9/17/2014 McDuffie, Laura M.	Complete the processing of 2010 and 2014 email for John Sterns to 5 de-duplicate and search. Apply search terms and export for attorney review emails with search 1.5 hits. Coordinate collection of Banc of California subpoena production 0.3 with Keith Falcon.
9/17/2014 McDuffie, Laura M.	
9/17/2014 McCoy, Kimberly R.	
9/17/2014 McCoy, Kimberly R.	Coordinate copying of checks at 0.5 Dow Jones Chicopee location.

9/18/2014 McDuffie, Laura M.	Download email received by client and forward to processing vendor 3 (EQD) for indexing and searching.
9/18/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding 0.3 discussion with David Lennon. Conference call with Jay Conti and Craig Linder concerning David
9/18/2014 Preston, Hilary Lovett	0.3 Lennon discussion. Attention to discovery issues and
9/18/2014 Preston, Hilary Lovett	0.5 timing. Research sanction cases imposing sanctions on basis of filing amended complaint inconsistent
9/18/2014 McCoy, Kimberly R.	2.2 with discovery. Continue to download email received by client and forward to processing vendor (EQD) for
9/19/2014 McDuffie, Laura M.	3.3 indexing and searching. Research and analyze case law applying sanctions under the court's inherent authority or Section 1927 where plaintiff's complaint lacked factual support and irresponsibly alleged
9/19/2014 Shibib, Kareem A.	1 conspiracy.
9/19/2014 McCoy, Kimberly R.	Coordinate review of additional John Stearns emails with Kareem 0.4 Shibib and Isabel Sukholitsky.
9/20/2014 McDuffie, Laura M.	Identify next volume of documents to be prepared for production and 3.3 process document production.
9/20/2014 McCoy, Kimberly R.	Spot check emails tagged by Isabel 0.6 Sukholitsky for accuracy. Complete processing of document production and review for
9/21/2014 McDuffie, Laura M.	2.3 accuracy. Prepare secure file link of document production for Kim
9/21/2014 McDuffie, Laura M.	0.5 McCoy. Update discovery database with bates numbers for documents
9/21/2014 McDuffie, Laura M.	1 produced.

	Draft affidavit of Cliff Thau in support of motion for sanctions and coordinate documents for
9/21/2014 McCoy, Kimberly R.	1.2 same.
	Search discovery database for documents to be used in preparation for the John Stearns deposition as instructed by Kim
9/22/2014 McDuffie, Laura M.	0.5 McCoy.
	Export said documents and prepare instructions for preparing materials for review by Kim
9/22/2014 McCoy, Kimberly R.	1.5 McCoy.
	Receive additional client documents from the processing vendor (EQD) and prepare for attorney review in the discovery
9/22/2014 McCoy, Kimberly R.	1.5 database.
	Prepare production in TIFF format as requested by Opposing Counsel and respond to Counsel's inquiries
9/22/2014 McCoy, Kimberly R.	1.3 regarding the production.
	Attention to status of discovery
9/22/2014 Preston, Hilary Lovett	0.3 issues.
	Research and draft motion to compel in response to opposing counsel's opposition to discovery
9/22/2014 Shibib, Kareem A.	1.5 requests.
	Prepare relevant documents and emails for deposition preparation
9/22/2014 McCoy, Kimberly R.	3.2 for deposition of John Stearns.
	Download processed email from the processing vendor (EQD) and make available for attorney review
9/23/2014 McDuffie, Laura M.	1.3 in the discovery database.
	Privilege issues email correspondence of custodian John
9/23/2014 Shibib, Kareem A.	1.5 Stearns.
	Finalize documents for preparation for deposition of John Stearns and coordinate delivery of same to
9/23/2014 McCoy, Kimberly R.	1.8 Hilary Preston.

9/23/2014 McCoy, Kimberly R.	Research law regarding refusal to cash refund from third party and several emails with Cliff Thau and Hilary Preston regarding same. 3.3
9/24/2014 McDuffie, Laura M.	Download copy of additional email collections sent from the client to the processing vendor (EQD) for searching and de-duplication. 0.5
9/24/2014 McDuffie, Laura M.	Receive processed email from processing vendor and make available for review by attorneys. 0.5
9/24/2014 McDuffie, Laura M.	Prepare production processing instructions for EQD for next document production. 0.3
9/24/2014 Sukholitsky, Isabel P.	Continue to review documents for production. 1.5
9/24/2014 Shibib, Kareem A.	Research consequences of dismissal on prospect of seeking sanctions. 1
9/24/2014 McCoy, Kimberly R.	Draft letter to Ray Bragar regarding his response to outstanding discovery issues. 0.5
9/24/2014 McCoy, Kimberly R.	Research substantive grounds of sanctions in light of refund. 1
9/25/2014 Shibib, Kareem A.	Research consequences of final judgment on motion for sanctions under Second Circuit precedent. 1.3
10/1/2014 Preston, Hilary Lovett	Continue to prepare for meeting with Ray Bragar. 0.5
10/2/2014 Thau, Clifford L.	Meeting with Raymond Bragar and follow-up with Craig Linder. 1.3
10/7/2014 Shibib, Kareem A.	Research authority for sanctions for false representations during litigation. 1.3
10/9/2014 Hopson, Kathy	Cite check Motion for Sanctions. 1.7
10/10/2014 Falcon, Keith	Efile notice of motion, memorandum of law in support, declaration in support, and exhibits thereto via CM/ECF. 0.5

10/24/2014 McCoy, Kimberly R.

Read brief in opposition to Motion
for Sanctions and supporting
affidavits and exchange emails
regarding same with Hilary Preston
2.4 and Cliff Thau.

Total Discovery Hours

144.8

Exhibit

5

DATE	TIMEKEEPER	HOURS BILLED	NARRATIVE
8/1/2014	Preston, Hilary Lovett	0.5	Confer with Ray Bragar and Cliff Thau regarding revised declaration (.3); confer with Cliff Thau regarding same (.2).
8/1/2014	Thau, Clifford L.	0.5	Telephone conference with Raymond Bragar, plaintiff's counsel.
8/5/2014	Preston, Hilary Lovett	0.3	Confer with Kim McCoy regarding discovery responses and strategy.
8/5/2014	McCoy, Kimberly R.	0.3	Telephone conference with Hilary Preston regarding case status, discovery responses, and next steps.
8/6/2014	Thau, Clifford L.	0.5	Telephone conference with client regarding demand from plaintiff.
8/6/2014	Preston, Hilary Lovett	0.5	Confer with Cliff Thau regarding strategy in light of Rabin's settlement proposal.
8/6/2014	Preston, Hilary Lovett	0.2	Conference with court regarding amended complaint.
8/6/2014	Preston, Hilary Lovett	0.4	Conference call with Craig Linder regarding strategy.
8/7/2014	Thau, Clifford L.	0.5	Attention to meeting with Stephen Rabin and Raymond Bragar.
8/7/2014	McCoy, Kimberly R.	2.3	Telephone conference with Hilary Preston and Craig Linder regarding draft of responses to first request for production.
8/7/2014	Preston, Hilary Lovett	0.3	Telephone conference with David McCraw of the NY Times.
8/7/2014	Preston, Hilary Lovett	0.3	Confer with Cliff Thau regarding McGraw conference.
8/7/2014	Preston, Hilary Lovett	0.8	Confer with Craig Linder and Kim McCoy regarding discovery issues.
8/7/2014	Preston, Hilary Lovett	0.5	Conference with Rob Balin and Eric Stahl regarding case status.
8/7/2014	Preston, Hilary Lovett	0.5	Confer with Kim McCoy regarding revisions to discovery responses.
8/8/2014	Preston, Hilary Lovett	0.4	Telephone conference with Ray Bragar regarding negotiations.
8/8/2014	Preston, Hilary Lovett	0.3	Telephone conference with Craig Linder regarding Bragar negotiations.
8/8/2014	Preston, Hilary Lovett	0.7	Confer with Cliff Thau regarding same and regarding case strategy.
8/12/2014	Thau, Clifford L.	0.9	Telephone conference with Geoff Darling in Oregon.
8/12/2014	Preston, Hilary Lovett	0.9	Telephone conferences with Geoff Darling.
8/13/2014	Preston, Hilary Lovett	0.5	Confer with Kim McCoy regarding the revisions of motion to dismiss.

8/14/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding motion to 0.4 dismiss.
8/15/2014 Preston, Hilary Lovett	Telephone conference with Ray Bragar regarding 0.2 status of negotiations.
8/18/2014 Preston, Hilary Lovett	0.2 Conference call with Craig Linder and Cliff Thau.
8/18/2014 Thau, Clifford L.	1 Conference with Craig Linder and Ray Bragar. Confer with Cliff Thau regarding potential
8/19/2014 Preston, Hilary Lovett	0.5 resolution.
8/19/2014 Preston, Hilary Lovett	Telephone conference with Ray Bragar regarding 0.4 potential resolution.
8/20/2014 Preston, Hilary Lovett	Conference call with all parties and court 0.4 regarding protective order.
8/20/2014 Preston, Hilary Lovett	0.5 Confer with Rob Balin regarding discovery needs.
8/21/2014 Preston, Hilary Lovett	0.3 Telephone conference with Craig Linder. Conference call with Robert Balin and Eric Stahl
8/21/2014 Preston, Hilary Lovett	0.5 regarding discovery planning.
8/21/2014 Preston, Hilary Lovett	0.5 Confer with Cliff Thau regarding discovery issues. Telephone conference with Hilary Preston
8/22/2014 McCoy. Kimberly R.	0.2 regarding next steps for discovery process.
8/22/2014 McCoy. Kimberly R.	Telephone conference with Hilary Preston, Craig Linder, and Maxine Tiger regarding Dow Jones's 0.5 subscription practices.
8/25/2014 McCoy. Kimberly R.	Telephone conference with Robert Balin, Eric Stahl and Hilary Preston regarding third party 0.4 discovery.
8/25/2014 Preston, Hilary Lovett	Attention to discovery planning and confer with 1.3 Kim McCoy regarding same.
8/25/2014 Preston, Hilary Lovett	0.5 Conference call with co-defendants. Confer with Geoff Darling regarding potential
8/26/2014 Preston, Hilary Lovett	0.3 witnesses.
8/27/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding discovery 0.5 issues and planning.
8/27/2014 McCoy. Kimberly R.	Telephone conference with Hilary Preston 0.3 regarding case status and next steps.
8/29/2014 Preston, Hilary Lovett	Confer with Forbes Council and Kim McCoy 0.5 regarding subpoenas.
9/2/2014 McCoy, Kimberly R.	Several conversations with Keith Falcon 0.2 regarding status of subpoena service.
9/3/2014 Thau, Clifford L.	Conference with Hilary Preston regarding 0.5 potential settlement.

9/3/2014 Preston, Hilary Lovett	Telephone conference with Jay Conti and Craig Linder regarding case status and next steps.
9/3/2014 Preston, Hilary Lovett	Telephone conference to Rob Balin regarding NY Attorney General inquiry.
9/4/2014 Thau, Clifford L.	Call with client and Raymond Bragar and attention to Forbes settlement.
9/4/2014 McCoy, Kimberly R.	Call with Kareem Shibib and Hilary Preston regarding case status and next steps.
9/4/2014 Preston, Hilary Lovett	0.4 Interview with John Stearns.
9/4/2014 Preston, Hilary Lovett	Confer with Craig Linder regarding NY AG inquiry.
9/4/2014 Preston, Hilary Lovett	Telephone conference with Ray Bragar regarding potential negotiations and discovery planning.
9/4/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding the potential negotiations and discovery planning.
9/4/2014 Preston, Hilary Lovett	Meeting with Kareem Shibib and Kim McCoy regarding discovery needs.
9/4/2014 Preston, Hilary Lovett	Conference call with Craig Linder, Jay Conti, and Cliff Thau regarding potential settlement discussions.
9/4/2014 Preston, Hilary Lovett	Continue to outline deposition questioning and attend to exhibits.
9/4/2014 Preston, Hilary Lovett	0.1 Confer with Rob Balin regarding settlement.
9/5/2014 Preston, Hilary Lovett	0.5 Confer with Rob Balin.
9/5/2014 Preston, Hilary Lovett	Conference call with Cliff Thau and Ray Bragar regarding potential resolution.
9/5/2014 McCoy, Kimberly R.	Call with Craig Linder and Hilary Preston regarding settlement status and next steps for discovery.
9/8/2014 Thau, Clifford L.	0.5 Conference regarding settlement.
9/8/2014 Preston, Hilary Lovett	Meeting with Christine Komporlis, Jay Conti, and Craig Linder.
9/8/2014 Preston, Hilary Lovett	Meeting with Craig Linder regarding case strategy and next steps.
9/8/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding deposition prep and reply brief.
9/10/2014 McDuffie, Laura M.	Conference call with Kim McCoy, Craig Linder and Vidhi Agarwal regarding email collections and best method to collect for processing for attorney review.
9/10/2014 Thau, Clifford L.	0.4 Conference call with client.
9/10/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding email document production.

9/10/2014 Preston, Hilary Lovett	Confer with Craig Linder, Jay Conti, and Cliff Thau regarding case and strategy going forward.
9/10/2014 Preston, Hilary Lovett	Confer with Kareem Shibib and Kim McCoy regarding outstanding discovery and briefing issues.
9/10/2014 McCoy, Kimberly R.	Call with Craig Linder, Vidhi Agarwal, and Laura McDuffie regarding email collection for review and production.
9/10/2014 McCoy, Kimberly R.	Meet with Hilary Preston and Kareem Shibib regarding next steps and preparation for upcoming hearing and depositions.
9/11/2014 McCoy, Kimberly R.	Several discussions with Kareem Shibib regarding case background, next steps and drafting of third party subpoenas.
9/12/2014 McDuffie, Laura M.	Correspond with Vidhi Agarwal regarding the upload of email for John Stearns.
9/12/2014 McCoy, Kimberly R.	Several calls with Laura McDuffie regarding status of production of documents
9/12/2014 McCoy, Kimberly R.	Call with Craig Linder and Vidhi Agarwal regarding status of collection of emails and next steps.
9/12/2014 McCoy, Kimberly R.	Consult with Jennifer Williams regarding potential forensic computer expert.
9/12/2014 McCoy, Kimberly R.	Read letter from Ray Bragar and discuss same with Hilary Preston
9/12/2014 McCoy, Kimberly R.	Several discussions with Kareem Shibib regarding third party discovery to banks, and arrange for conflict check of same.
9/15/2014 McCoy, Kimberly R.	Several emails and discussions with Laura McDuffie, Craig Linder and Vidhi Agarwal regarding email collection and production
9/16/2014 McCoy, Kimberly R.	Call with Washington Federal Bank regarding their compliance with subpoena and document production and email Hilary Preston with update to same.
9/16/2014 McCoy, Kimberly R.	Respond to email from Banc of California regarding response to document production and call attorney at Bank of California following up on same.
9/16/2014 McCoy, Kimberly R.	Call with Craig Linder, Jay Conti and Hilary Preston regarding discovery status and preparation for hearing.

9/16/2014 McCoy, Kimberly R.	Several discussions with Laura McDuffie and Jennifer Williams regarding discovery issues including obtaining email from client, computer forensics, copying non-email electronic and hard 1.4 copy documents from client in Chicopee, MA
9/16/2014 Preston, Hilary Lovett	Conference call with Jay Conti, Craig Linder and 0.9 Kim McCoy regarding case status and next steps.
9/16/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding motion to 0.6 dismiss.
9/16/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding discovery 1 status and next steps.
9/16/2014 Preston, Hilary Lovett	Email correspondence regarding discovery and 0.2 next steps.
9/17/2014 McCoy, Kimberly R.	Several calls and emails with Craig Linder, Vidhi Agarwal, and Laura McDuffie regarding status of 1 email collection.
9/17/2014 McCoy, Kimberly R.	Call from Banc of California attorney regarding subpoena response and draft follow-up email 0.4 regarding same.
9/17/2014 Preston, Hilary Lovett	Conferences with Kim McCoy regarding discovery issues and next steps in document 1.3 collection and review.
9/18/2014 McCoy, Kimberly R.	Call with David Lennon regarding his client's 0.5 subpoenas.
9/18/2014 McCoy, Kimberly R.	Discuss call with David Lennon with Hilary 0.8 Preston and call Craig Linder regarding same.
9/18/2014 McCoy, Kimberly R.	Notify banks of agreement to hold subpoenas in abeyance with David Lennon via phone, email 1.2 and letter.
9/18/2014 McCoy, Kimberly R.	Several emails and phone calls with Laura McDuffie and Craig Linder regarding uploading of John Stearns emails for review and 1.8 production.
9/18/2014 McCoy, Kimberly R.	Coordinate scanning of checks held by Dow Jones in Chicopee, MA and email Craig Linder 0.5 regarding additional documents for scanning.
9/19/2014 McDuffie, Laura M.	Correspond with EQD regarding status of 0.5 copying of checks and files.

9/19/2014 McDuffie, Laura M.	Conference with Craig Linder, the Dow Jones IT support team, the collection vendor (BIA), the data processing vendor and Kim McCoy regarding corrupt email for 2011 and 2012 to 1 determine best method for collection.
9/19/2014 Shibib, Kareem A.	Telephone conference with Craig Linder, the Dow Jones IT support team, the collection vendor (BIA), the data processing vendor and Kim McCoy regarding corrupt email for 2011 and 0.5 2012 to determine best method for collection.
9/19/2014 McCoy, Kimberly R.	Call with Craig Linder, Dow Jones IT Support, Laura McDuffie, BIA and Equivalent Data 0.6 regarding data recovery and email collection.
9/19/2014 McCoy, Kimberly R.	Several calls with Laura McDuffie regarding 0.6 status of production and next steps.
9/19/2014 McCoy, Kimberly R.	Call with Isabel Sukholistky regarding case 0.5 background necessary for review of documents.
9/19/2014 Preston, Hilary Lovett	0.2 Telephone conference to Rob Balin.
9/19/2014 Preston, Hilary Lovett	0.2 Telephone conference to David Lennon.
9/19/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding document 0.8 collection issues.
9/20/2014 McDuffie, Laura M.	Correspond with processing vendor (EQD) regarding instructions for de-duplicating client email and client documents collected from the 1 shared network folder.
9/20/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding document 0.5 review status and issues.
9/20/2014 McCoy, Kimberly R.	Several emails with Craig Linder, Vidhi Agarwal and Laura McDuffie regarding outstanding 0.5 custodian email collections.
9/21/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding document 0.5 review status and issues.
9/21/2014 McCoy, Kimberly R.	Several conversations with Laura McDuffie regarding finalizing production of John Stearns 0.4 emails.
9/22/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding materials 0.2 provided by David Lennon.
9/22/2014 Preston, Hilary Lovett	Confer with Jay Conti and Cliff Thau regarding 0.3 strategy.
9/22/2014 Shibib, Kareem A.	Review and analyze email correspondence of custodian John Stearns for responsiveness and 2 privilege issues.

9/22/2014 McCoy, Kimberly R.	Research evidentiary issue and email Cliff Thau 0.8 regarding same. Call with Jay Conti, Hilary Preston and Cliff Thau regarding draft of sanctions motion and next 0.5 steps. Call with Hilary Preston regarding status of email 0.4 review and production.
9/22/2014 McCoy, Kimberly R.	
9/22/2014 McCoy, Kimberly R.	
9/22/2014 McCoy, Kimberly R.	Correspond with processing vendor regarding 0.5 status of scanned checks for attorney review. Multiple telephone conferences with Bragar 1 regarding CBS evidence. Confer with Cliff Thau regarding the CBS 0.7 evidence. Confer with Jay Conti regarding discovery 0.3 planning. Telephone conferences with David Lennon 1 regarding CBS evidence. Conference call with Jay Conti and Cliff Thau regarding CBS evidence and strategy related to 0.3 same.
9/23/2014 Preston, Hilary Lovett	
9/23/2014 Preston, Hilary Lovett	
9/23/2014 Preston, Hilary Lovett	
9/23/2014 Preston, Hilary Lovett	
9/23/2014 Preston, Hilary Lovett	
9/23/2014 Preston, Hilary Lovett	
9/23/2014 Preston, Hilary Lovett	
9/23/2014 McCoy, Kimberly R.	Several discussions with Laura McDuffie to 0.6 coordinate document processing and review. Call with Ray Bragar and Hilary Preston regarding 0.6 outstanding discovery issues.
9/24/2014 McCoy, Kimberly R.	
9/24/2014 McCoy, Kimberly R.	Email Hilary Preston regarding correct measure 0.4 of damages claimed and impact of refund check. Telephone conference with Rob Balin regarding 0.2 Rabin's contacts with Forbes.
9/24/2014 Preston, Hilary Lovett	
9/24/2014 Preston, Hilary Lovett	Conference call with Ray Bragar and Kim McCoy 0.5 regarding outstanding discovery issues. Confer with Kim McCoy regarding outstanding 0.5 discovery issues. 0.2 Confer with team regarding sanctions. Conference with clients regarding potential 0.3 sanctions motion. Confer with Hilary Preston regarding the 0.2 potential sanctions motion. Conference call with Mark Jackson, Jay Conti, and Craig Linder regarding potential motion for 0.3 sanctions. Confer with Cliff Thau regarding potential 0.2 motion for sanctions.
9/24/2014 Preston, Hilary Lovett	
9/24/2014 Preston, Hilary Lovett	
9/25/2014 Preston, Hilary Lovett	
9/29/2014 Thau, Clifford L.	
9/29/2014 Thau, Clifford L.	
9/29/2014 Preston, Hilary Lovett	
9/29/2014 Preston, Hilary Lovett	

9/30/2014 Thau, Clifford L.	Confer with Hilary Preston regarding sanctions 0.4 and meeting with Bragar.
9/30/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding sanctions and 0.4 meeting with Bragar.
9/30/2014 Preston, Hilary Lovett	0.1 Confer with Ray Bragar regarding sanctions.
9/30/2014 Preston, Hilary Lovett	0.6 Confer with Ray Bragar regarding CBS evidence. Telephone conference with Cliff Thau regarding
10/1/2014 Preston, Hilary Lovett	0.3 meeting with Ray Bragar.
10/1/2014 Preston, Hilary Lovett	Telephone conference with Rob Balin regarding
10/2/2014 Preston, Hilary Lovett	0.2 Rabin and Forbes contacts.
10/2/2014 Preston, Hilary Lovett	Meeting with Bragar and prepare for potential
10/2/2014 Preston, Hilary Lovett	1.5 motion for sanctions.
10/2/2014 Preston, Hilary Lovett	Conference call with Craig Linder regarding
10/2/2014 Preston, Hilary Lovett	0.2 potential motion for sanctions.
10/3/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding preparation for
10/3/2014 Preston, Hilary Lovett	0.5 call to Judge Rakoff.
10/3/2014 Preston, Hilary Lovett	Conference call with Judge Rakoff's Chambers
10/3/2014 Preston, Hilary Lovett	0.3 and plaintiff's counsel.
10/3/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding revisions to
10/3/2014 Preston, Hilary Lovett	0.5 motion for sanctions.
10/6/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding revisions to
10/8/2014 Preston, Hilary Lovett	0.8 the motion for sanctions.
10/9/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding motion for
10/9/2014 Preston, Hilary Lovett	0.5 sanctions.
10/9/2014 Preston, Hilary Lovett	0.5 Confer with Cliff Thau regarding motion.
10/10/2014 Preston, Hilary Lovett	0.5 Confer with Kim McCoy regarding motion.
10/10/2014 Preston, Hilary Lovett	Confer with Craig Linder regarding finalized
10/10/2014 Preston, Hilary Lovett	0.3 motion.
10/10/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding motion for
10/10/2014 Preston, Hilary Lovett	0.4 sanctions.
10/10/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding motion for
10/10/2014 Preston, Hilary Lovett	0.3 sanctions.
10/14/2014 Thau, Clifford L.	Attention to Raymond Bragar letter to the New
10/14/2014 Preston, Hilary Lovett	0.5 York Times.
10/14/2014 Preston, Hilary Lovett	Confer with Cliff Thau regarding letter to
10/14/2014 Preston, Hilary Lovett	0.4 McGraw.
10/14/2014 Preston, Hilary Lovett	Confer with Kim McCoy regarding letter to
10/16/2014 Preston, Hilary Lovett	0.3 McGraw.
10/21/2014 Preston, Hilary Lovett	Email correspondence regarding same NYT-
	0.2 Rabin Letter.
	Correspondence with Ray Bragar regarding
	confidentiality designations and review
	0.2 protective order regarding same.

10/24/2014 McCoy, Kimberly R.	Call from Craig Linder regarding copy of scanned checks from Chicopee, MA, and arrange copy of 0.4 disk of same. Attention to Reply and conference with clients
10/28/2014 Thau, Clifford L.	1 regarding same. Confer with Cliff Thau regarding motion for
10/28/2014 Preston, Hilary Lovett	0.5 sanctions.
10/28/2014 Preston, Hilary Lovett	Conference call with Jay Conti, Craig Linder, and 0.5 Cliff Thau regarding motion for sanctions. Confer with Kim McCoy regarding motion for
10/28/2014 Preston, Hilary Lovett	0.5 sanctions.
10/29/2014 Preston, Hilary Lovett	Confer with Rob Balin regarding status of Forbes 0.2 challenge to settlement. Attention to draft Reply and conference with
10/29/2014 Thau, Clifford L.	1.3 clients regarding same. Confer with Cliff Thau regarding motion for
10/31/2014 Preston, Hilary Lovett	0.2 sanctions.

Total Talking Hours	87.4
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